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Dated: November 10, 2004

Signature: Kurt T. Buechle

(Kurt T. Buechle)

Docket No.: 28967/34891A
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Alitalo et al.

Application No.: 09/765,534

Filed: January 19, 2001

Art Unit: 1646

For: Flt4 (VEGFR-3) as a Target for Tumor Imaging and
Anti-Tumor Therapy

Examiner: Joseph F. Murphy

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (IDS)

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached SB/08 form. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed more than three months after the U.S. filing date, OR more than three months after the date of entry of the national stage of a PCT application, AND after the mailing date of the first Office Action on the merits, whichever occurs first, but before the mailing date of a Final Office Action or Notice of Allowance (37 C.F.R. § 1.97(c)).

In accordance with 37 C.F.R. § 1.98 (a)(2), copies of the "A" references on the PTO/SB/08 have not been attached, but are available upon request. A copy of each "B" and "C" reference on the SB/08 form is attached.

The attached PTO/SB/08 lists references with dates falling between Applicants' earliest claimed priority date (October 9, 1992) and the filing date (January 19, 2001) of the present application. If the Office concludes that Applicants are entitled to the priority date claimed, those references would not be relevant.

11/15/2004 NR0041 00000032 09765534

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02 FC:1806


In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. § 1.56(a) exists. In accordance with 37 C.F.R. § 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 C.F.R. § 1.98 and the Examiner is respectfully requested to consider the listed references.

Our check including the amount of \$180.00 covering the fee set forth in 37 C.F.R. § 1.17(p) is enclosed. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith to our Deposit Account No. 13-2855 (28967/34891A). A copy of this paper is enclosed.

Dated: November 10, 2004

Respectfully submitted,

By 

Kurt T. Buechle

Registration No.: 54,011
MARSHALL, GERSTEIN & BORUN LLP
233 S. Wacker Drive, Suite 6300
Sears Tower
Chicago, Illinois 60606-6357
(312) 474-6300
Attorney for Applicant



PTO/SB/08a/b (08-03)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	09/765,534
				Filing Date	January 19, 2001
				First Named Inventor	Kari Alitalo
				Art Unit	1646
				Examiner Name	Joseph F. Murphy
Sheet	2	of	2	Attorney Docket Number	28967/34891A

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ²
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
	B16	EP 0935001	08-11-1999	EPO		
	B17	WO 97/12972	04-10-1997	PCT		
	B18	WO 98/02543	01-22-1998	PCT		
	B19	WO 00/45835	08-10-2000	PCT		
	B20	WO 2004/009773	01-29-2004	PCT		

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	C61	GenBank Accession X51602, Human flt mRNA for receptor-related tyrosine kinase, deposited by Shibuya, M. (November 20, 1996).	
	C62	GenBank Accession X60280, plasmid pLTRpoly, deposited by Maekelae et al. (August 15, 1996).	
	C63	GenBank Accession X68203, H. sapiens mRNA for FLT4, Class III receptor tyrosine kinase, deposited by Aprelikova, O (June 7, 1996).	
	C64	GenBank Accession X83287, C. coturnix Quek2 mRNA for vascular endothelial growth factor receptor, deposited by Eichmann, et al. (May 22, 1997).	
	C64	GenBank Accession AF014827, Rattus norvegicus vascular endothelial growth factor D (VEGF-D) mRNA, deposited by Yamada, Y. (March 11, 1998).	
	C65	GenBank Accession AJ000185, Homo Sapiens mRNA for vascular endothelial growth factor-D, deposited by Achen, M.G. (June 3, 1998).	
	C66	GenBank Accession Y15837, Coturnix coturnix mRNA for vascular endothelial growth factor C, deposited by Eichmann, A. (June 3, 1998).	
	C67	GenBank Accession D89628, Mus musculus mRNA for vascular endothelial growth factor D, deposited by Yamada, Y. (March 11, 1998).	
	C68	GenBank Accession MMU73620, Mus musculus VEGF-C mRNA, complete cds., deposited by Kukke, E. (March 11, 1998).	
	C251	Fernandez-Botran, R., "Soluble Cytokine Receptors: Novel Immunotherapeutic Agents," <i>Exp. Opin. Invest. Drugs</i> , 9:497-514 (2000).	
	C252	Genbank Accession No. P35916, Galland et al., "Vascular Endothelial Growth Factor Receptor 3 Precursor," (October 1, 1996).	
	C253	Kendall et al., "Inhibition of Vascular Endothelial Cell Growth Factor Activity by an Endogenously Encoded Soluble Receptor," <i>Proc. Natl. Acad. Sci. USA</i> , 90:10705-10709 (1993).	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
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Substitute for form 1449A/B/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT***(Use as many sheets as necessary)***Complete if Known**

Application Number	09/765,534
Filing Date	January 19, 2001
First Named Inventor	Kari Alitalo
Art Unit	1646
Examiner Name	Joseph F. Murphy
Attorney Docket Number	28967/34891A

Sheet	1	of	2
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U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	A31	5,932,540	08-03-1999	Hu et al.	
	A32	5,935,820	08-10-1999	Hu et al.	
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	A68	2003/0215921	11-20-2003	Coleman, T.	
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Examiner Signature		Date Considered	
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